

Most recently, on December 13, 2021, the California Department of Public Health (CDPH), issued a mask mandate, which requires that masks be worn in all indoor public settings, irrespective of vaccination status, for four consecutive weeks beginning December 15, 2021.

1 For those who enter the court's facilities, the court will comply with the CDPH mandate and  
2 applicable guidance from county, state, and federal health authorities until further notice, including  
3 but not limited to, requiring face coverings, prohibiting individuals from entering if they are subject  
4 to an isolation or quarantine order or are experiencing symptoms of COVID-19, continuing  
5 increased cleaning measures, and providing hand sanitizers in kiosks.

6 Accordingly, for good cause and pursuant to the court's inherent supervisory and  
7 administrative authority, as well as the Presiding Judge's duty to promote access to justice for all  
8 members of the public, taking into account the applicable laws and needs of the public and court as  
9 they relate to the efficient and effective management of the court (Cal. Rules of Court, rule 10.603),  
10 this court HEREBY FINDS AND ORDERS AS FOLLOWS:

11 1. Effective Wednesday, December 15, 2021 at 8:00 a.m., regardless of vaccination  
12 status, all persons, including court staff and judicial officers, who enter any court facility must wear a  
13 face covering. Court staff and judicial officers may remove their face covering when working in an  
14 office or room alone or when actively eating or drinking provided they are able to maintain six feet  
15 of social distancing from persons who are not members of the same household. Persons younger  
16 than two years old are exempt from wearing a face covering. Other persons exempted by applicable  
17 CDPH or Cal/OSHA regulations, such as those with a medical condition, mental health condition, or  
18 disability that prevents wearing a face covering, will be assisted outside the courthouse or provided  
19 with an alternative accommodation. Any non-exempt person without a face covering may be denied  
20 entry to the courthouse or courtroom.

21 2. All persons, including court staff and judicial officers, are required to self-evaluate for  
22 symptoms and may not enter the courthouse if they are subject to an isolation or quarantine order or  
23 exhibiting COVID-19 symptoms as described by the Centers for Disease Control and Prevention  
24 ("CDC") (available at: [https://www.cdc.gov/coronavirus/2019-ncov/symptoms-](https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)  
25 [testing/symptoms.html](https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)), which currently include, but are not limited to, fever or chills, cough,  
26 shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of  
27 taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea.

1           3. This order does not restrict or otherwise abrogate the express and inherent authority of  
2 the court and its judges to provide for the orderly conduct of proceedings, control in the furtherance  
3 of justice the conduct of persons connected with judicial proceedings, or to control processes and  
4 orders so as to make them conform to law and justice. Specifically, if a judicial officer determines  
5 it is necessary to the furtherance of justice to remove his or her face covering when on the bench or  
6 to direct an individual in that judicial officer's courtroom to remove that person's face covering, the  
7 judicial officer may do so.

8           4. Effective December 15, 2021, at 8:00 a.m., General Order of the Presiding Department  
9 of the San Diego Superior Court, In Re: Face-Coverings, Order No. ORDER NO. 111221-94, is  
10 rescinded as moot.

11           IT IS SO ORDERED.

12  
13 DATED: December 14, 2021

A handwritten signature in blue ink, reading "Michael T. Smyth", is written over a horizontal line.

**HONORABLE MICHAEL T. SMYTH  
ACTING PRESIDING JUDGE**